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EXAMINER

REFAI, RAMSEY

ART UNIT	PAPER NUMBER
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3627

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Amendment

Responsive to Amendment received January 31, 2008 and the remarks filed August 14, 2007. Claims 1, 4, 7, 9, 11, and 14 have been amended. Claim 10 has been canceled. Claims 1-9 and 11-16 remain presented for further examination. Applicant appears to have again inadvertently left out claim 16 from the listing of claims. For examination purposes, claim 16 will be assumed to remain as presented in the claims set filed February 16, 2006 since no statement regarding any amendments to claim 16 were made in the remarks section.

Specification

1. The amendments to the paragraphs [0025] and [0028] of the specification have been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Berger (US Patent No. 5,978,841).

4. As per claim 1, Berger teaches a storage device comprising:

a processor; a computer interface communicably connected to the processor, wherein the computer interface is adapted to enable communications exclusively between a computer and the processor; a network interface communicably connected to the processor to enable the processor to

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communicate with over a network, wherein the processor is adapted to employ the network interface for communications with select file servers to the exclusion of other file servers (**column 6, lines 1-33, fig 2**), and

a storage means communicably connected to the processor, the processor being adapted to have read and write access to the storage means and the computer having read-only access to the storage means via a processor, wherein upon receipt of a file request from the computer the processor is adapted to sequentially (1) determine whether the file is cached on the storage means and provide the file to the computer on a read-only basis if the file is cached on the storage means (2) request the file from the select file servers if the file is not cached on the storage means, and if the file is obtainable from the select file servers, cache the obtained file on the storage means and provide the obtained file to the computer on a read-only basis (**column 7, line 30-column 8, lines 17, figure 8; if data requested is in cache, it is passed to user interface for display; if not, user requested retrieval begins**) or return a file unavailable notice to the computer if the file is not cached on the storage means and not obtainable from the select file servers (**column 7, lines 35-38, fig 6B, column 7, lines 28-37**).

5. As per claims 2, Berger teaches wherein the computer is communicably connected to a network server through the network interface (**fig 2, column 6, lines 20-43**).

6. As per claim 3, Berger teaches wherein the storage means comprises random access media (**column 6, lines 13-18**).

7. As per claim 4, it contains similar limitations as claim 1 above and therefore is rejected under the same rationale.

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8. As per claim 5, Berger teaches wherein the computer is communicably connected to the network server through the storage device (**fig 2, column 6, lines 20-43**).

9. As per claim 6, Berger teaches wherein the storage means comprises random access media (**column 6, lines 13-18**).

10. As per claim 7, Berger teaches a method of providing a file to a computer comprising:
receiving in a storage device a request from the computer for the file (**column 7, lines 29-32, abstract, fig 6B 605**), wherein the storage device is in communication with the computer and includes a storage means and a computer interface, the computer interface being adapted to enable communications exclusively between the computer and the storage device (**column 6, lines 1-18, fig 2**), the computer having read-only access to the storage device (**column 10, line 65-column 11, column 11, line 30; web content is read only**);

determining whether the file is cached on the storage means; determining, if the file is not cached on the storage means, whether the file is available from select file servers, the storage device being adapted to have network communications with the select file servers to the exclusion of other file servers and if the file is available from the select file servers, retrieving the file from the select file servers and caching the retrieved file on the storage means; and providing to the computer the file on a read-only basis if the file is cached on the storage means (**column 7, line 30-column 8, lines 17, figure 8; if data requested is in cache, it is passed to user interface for display; if not, user requested retrieval begins**).

11. As per claim 8, Berger teach providing to the computer a response indicating that the file is not available if the file is not cached on the storage means (**column 7, lines 35-38, fig 6B, column 7, lines 28-37**).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berger.

14. As per claim 9, Berger teaches deleting the cached file from the storage means (**column 8, line 54-column 9, lines 21, figs 11B**) but fails to teach the deleting *upon receiving a command from the select file servers to delete the cached file*. However, it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify Berger to include this feature because doing so would allow a remote server to initiate deletion of outdated data in order to make room for the newer data.

15. As per claim 16, Berger teaches deleting the cached file from the storage means (**column 8, line 54-column 9, lines 21, figs 11B**) but fails to teach deleting the cached file from the storage means *upon receiving notice from the file server that an updated version of the cached file is available*. However, it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention to modify Berger to include this feature because doing so would allow a remote server to initiate deletion of outdated data in order to make room for the newer data.

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Allowable Subject Matter

16. Claim 11-15 are allowed.

Conclusion

The prior art made of record and not relied upon, which is considered pertinent to applicant's disclosure, are cited in the Notice of Reference Cited form (PTO-892).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571)272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Ramsey Refai
April 30, 2008
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